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ABSTRACT

A study to determine the status of disciplinary procedures in nonpublic high schools in Nebraska and Kansas is described in this report. A two-part questionnaire to assess schools' written policies and actual practices was administered to 68 out of 72 private schools, a 94 percent response rate. Findings indicate that the majority of nonpublic schools in the two states under study provide students with procedural due process in disciplinary situations involving suspension and expulsion, although compliance is not legally required. A majority of the schools had written student discipline policies, provided student access to evidence, and empowered the principal as decision maker. Appendices include the questionnaire, correspondence, and survey results. (13 references) (LMI)

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DUE PROCESS IN STUDENT DISCIPLINE IN NON-PUBLIC SCHOOLS

by
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Presented at the
American Educational Research Association
April 1990

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ABSTRACT

DUE PROCESS IN STUDENT DISCIPLINE IN THE NON-PUBLIC SCHOOLS

The law regarding student discipline in the public schools is well settled. Students who are accused of infractions which may result in suspension or expulsion must be afforded procedural due process.

Student discipline in the non-public schools is a different matter. In *Bright v. Isenbarger* (314 F.Supp. 1382 [1970]), the court ruled that non-public school actions are not state actions and, therefore, not under the purview of the Constitution. In this respect, non-public schools are not required to provide students the procedures of due process unless the school elects to do so.

While non-public schools are not required to provide due process in disciplinary matters, many, in fact, do. A survey done in Cook County, Illinois, in 1978 revealed that a majority of private high schools do provide some semblance of due process in cases which result in suspension or expulsion.

The purpose of the present study was to determine the status of disciplinary procedures in non-public schools. A computer search of the ERIC files revealed that no such information exists within the current educational literature. The study was limited to non-public secondary schools within the states of Kansas and Nebraska.

A two-part questionnaire was developed to determine a school's written policies with regard to student discipline and also its actual practices. This questionnaire was pilot tested with members of the Kansas Association of Non-Public Schools (KANS) at its meeting in March 1988.

Participant schools selected were those listed in the 1988-89 edition of the Education Directory, published by the Department of Education in each state. This yielded a total of 72 schools, 27 in Kansas and 45 in Nebraska. A total of 68 completed questionnaires were received, which is a 94 percent response rate.

A tabulation of responses indicated that 71 percent of the schools have written policies that provide for due process, while 28 percent do not. In 75 percent of the schools, the policy allows students to know all the evidence against them, while in 18 percent it does not. In 81 percent of the schools, the policy allows a student to present evidence in his own defense, while in 10 percent it does not.

While the first part of the questionnaire dealt with a school's written policy, the second part assessed a school's actual procedures in disciplinary matters. All but one of the respondents allow students to know all

the evidence against them, while all but two allow students to present evidence in their own defense. Respondents were also asked to indicate who has authority to suspend or expel students and who actually does make such decisions. In a majority of the schools, the principal makes this decision.

The results of this survey indicate that non-public schools in Kansas and Nebraska provide students with procedural due process in disciplinary situations involving suspension or expulsion, even though they are not legally required to do so. In this respect, students in such schools are provided the same constitutional rights as those in the public schools. Non-public schools, then, are not institutions of totalitarianism as some have charged, but through the procedures of student discipline provide an example of American democracy in action.

DUE PROCESS IN STUDENT DISCIPLINE IN NON-PUBLIC SCHOOLS

The United States Supreme Court stunned the world of school administration in 1975 when it handed down its decision in *Goss v. Lopez*¹ requiring procedural due process for students who are temporarily suspended from school. Many years prior, the Fifth Circuit Court of Appeals had established, in its *Dixon v. Alabama State Board of Education*² ruling, a student's right to procedural due process in expulsion proceedings. Thus, the common law regarding student discipline in the public schools is well settled.

Students who are accused of infractions which may result in suspension or expulsion must be afforded procedural due process. The basis of this requirement is the Fourteenth Amendment to the Constitution, which states in part, ". . . nor shall any state deprive any person of life, liberty, or property without due process of law . . ." Since the public schools are creatures of the state, their actions in disciplinary matters are considered state actions, which are subject to the strictures of the Constitution.

Student discipline in non-public schools is a different matter. Because the non-public school is, by its creation, a private concern, its actions do not constitute "state actions." Therefore, such a school is not restricted by the due process provision of the Constitution. It has no compulsion of the law to provide such safeguards to students who are involved in infractions of the school rules which might result in suspension or expulsion from the school. If such a process is afforded to students, it is done so only through the good will of the school management.

The Problem

Since procedural due process is not a constitutional requirement for non-public schools and is provided at the discretion of the school management, it has been suggested that such procedures would seldom be found in non-public schools. More specifically, one would not expect to see such procedures mandated by the school in its contractual agreement with parents and students.

Little in the way of research has been conducted to determine the status of due process in discipline procedures in non-public schools. It was the purpose of this study to make such a determination for the non-public schools in Kansas and Nebraska. Further, it was the purpose of this study to determine if there were differences between written policies and actual practice in these schools.

Literature Review

The research literature relating to due process in non-public schools is quite limited. For this study, two types of literature were reviewed: court decisions and reported research.

Court Cases

There is a large body of court decisions regarding discipline in the non-public schools. Most of these deal with contract issues rather than procedural matters, which is the focus of this study. This review will be restricted to those cases which deal specifically with due process.

The leading case dealing with due process in the non-public schools is *Bright v. Isenbarger*.³ In it, the Federal District Court upheld the right of non-public schools to discipline students without providing the procedural safeguard of due process. At issue was plaintiff's claim that the schools' expulsion of the students constituted "state action." To support such a claim, they advanced two arguments: 1) the state provided general

supervision over the non-public school; and 2) the state provided financial assistance, though indirectly, through its exempting the school from property tax.

The court was not convinced by these arguments. It pointed out that the state's supervision over the schools and its tax exemption for non-profit organizations did not constitute "significant involvement" in the affairs of the school. Further, if this did constitute state action, then not only must the school's disciplinary actions conform to the Constitution, but also all other activities of the school. Clearly, this would negate the very purpose for which the school was formed.

On appeal⁴, the United States Court of Appeals (7th Circuit) upheld the lower court. It considered several new court decisions that had been brought by the plaintiffs but quickly differentiated between them and the situation in Bright. The decision reaffirmed that disciplinary procedures in a non-public school are not state actions and do not require due process.

In a Louisiana case⁵, the state appeals court upheld the right of a non-public school to expel students from school without providing complete procedural due process. Although this court was apparently unaware of the decision in Bright⁶, it did support the right of non-public schools to be free from the procedural requirements placed upon the public schools. While due process cannot be entirely ignored by the non-public school, a "color of due process" is sufficient.

In a Delaware case⁷, a student was expelled from a boarding school for use of marijuana. Following the reasoning in Bright, the Federal District Court concluded that, although the school had accepted funding from a number of government agencies, this was not sufficient to show "state action" on the part of the school. Therefore, the due process requirements of the Fourteenth Amendment were not applicable.

Plaintiffs in this case (*Wisch v. Sanford School, Inc.*) also contended that an implied contract existed which required the school to act ". . . fairly and reasonably in

discipline matters . . ."⁸ While the Court declined to comment on the implications of this contention, they did indicate that the school had complied with such a requirement.

There are a number of more recent private school discipline cases. None have overturned the basic principle of *Bright* that non-public schools are not bound by the procedural strictures of the Fourteenth Amendment.

Research Literature

The research literature relating to due process in non-public school discipline is very limited. Only two items worthy of mention here were found. Neither of these are recent.

In a 1975 dissertation⁹, Shultz reviewed case law dealing with a wide range of issues in student discipline in non-public schools. In the matter of "state action" which requires a school to provide procedural due process, he concluded that generally acts of non-public schools are not those of the state but are private acts. Exceptions to this are situations where the school and the state work so closely together that they may be considered joint participants. This may be where the school operates on behalf of the state or where a significant amount of financial aid is received from the state. Such matters as tax exemption, free transportation, lunch subsidies, teacher certification, and state accreditation are not sufficient to show state action on the part of a school.

Shultz also reviewed a number of cases dealing with suspension and expulsion of students from school. He concluded that, unless the non-public school acts in an arbitrary or capricious manner, the courts will uphold their actions suspending a student who has violated the school's rules.¹⁰ In regards to student expulsion, Shultz concluded that non-public schools have many rights that public schools do not have.¹¹ Among these are the right to impose strict disciplinary regulations, compel attendance at religious exercises, and expel students who break school rules or refuse to obey the school's officials. While the non-public school does not have the duty to provide due process in

disciplinary proceedings, it is required to make its rules and regulations known to the students.

In an unpublished research paper,¹² Hamel reported the results of a mailed survey to non-public schools in Cook County (Chicago and suburbs) Illinois. His background study supported the postulate that "little in the way of procedural due process would be found in private schools."¹³ The purpose of his study was to determine what, if any, aspects of procedural due process were afforded students in non-public schools. He also sought to determine if there were procedural differences between: A) elementary and secondary schools; B) Catholic and non-Catholic schools; and C) suspensions and expulsions.

Hamel surveyed 150 of the 581 non-public schools in Cook County during the 1978-79 school year. A total of 113, or 92 percent, were returned. The survey instrument contained questions regarding the schools' procedures in terms of: A) notice of charges; B) hearing; C) evidence; D) appeals; and E) written statement of procedures available to students and parents.

In response to the survey questions, a strong majority of responding schools indicated that they did provide students with the basic procedures of due process in suspension and expulsion cases. On the specific aspects of the process, the range of positive responses was from 95 percent provide notice in suspension cases to 63 percent provide an appeal process in suspension cases. In the various comparisons, Hamel found no differences between elementary and secondary schools, Catholic and non-Catholic schools, or between suspensions and expulsions.

The analysis of the data in the Hamel study supports his conclusion that non-public schools do, in fact, provide at least the rudiments of due process in matters of student discipline. He did note that on many of the returned surveys, respondents indicated that their school seldom used suspension or expulsion as a disciplinary

measure. Thus, their responses might have been more relative to hypothetical situations than to actual practice.

While Hamel's conclusions seem valid, he did point out that generalizations must be limited because of the narrow geographic area included in the study. He suggested that further study utilizing a wider sample be conducted. This recommendation gave rise to the present study.

The review of the literature provided the formative bases for the present study. The court cases and the Shultz dissertation provided the theoretical basis, while the Hamel research provided the procedural basis.

Procedures

It was the purpose of this study to determine to what extent procedural due process is afforded to students involved in disciplinary proceedings in non-public schools. To accomplish this, a survey of the non-public high schools in the states of Kansas and Nebraska was conducted during the spring of 1989. Because of the geographic delimitations imposed on the study, findings can be generalized only to that population.

Participant schools selected were those listed in the 1988-89 edition of the EDUCATION DIRECTORY, published by the Department of Education in each state. This yielded a total of 72 schools, 27 in Kansas and 45 in Nebraska. Officials in the Department of Education in both states admitted that other private schools existed which are not listed in the directory. In Nebraska, these are designated as "Rule 13" schools, in that they are exempt from the state's compulsory school attendance law. They include not only actual schools, but also a large number of parents who home school their children. In Kansas, a number of schools choose not to be accredited by the state. As unaccredited schools, they are not required to provide information to the

state, although some do so voluntarily. Because of the difficulty in obtaining information regarding the Nebraska Rule 13 schools and the Kansas unaccredited schools, they were not included in this study.

A two-part questionnaire was developed as the data collection instrument. Part A dealt with the written policies of the school, and Part B dealt with actual procedures utilized by the school administration in disciplinary matters. The questions in both parts related to the basic aspects of procedural due process: notice and a fair and impartial hearing. An additional question regarding who has the authority to suspend or expel a student was also included.

After the initial questionnaire was developed, it was pilot-tested with members of the Kansas Association of Non-Public Schools (KANS) at its meeting in March 1989. They made several suggestions, both for refining the instrument and for gathering data. When it was edited to final form, the questionnaire was formatted and reduced to postcard size for ease of mailing. The final form of the questionnaire is found in Appendix A.

The data were collected during the month of May 1989. An initial pre-letter (Appendix B) was sent on May 4 describing the survey and offering to share the results of the study. Four days later, the questionnaire was sent to participant schools with a covering letter (Appendix C). The questionnaire was on a postcard with stamp affixed to provide for convenient return. An additional page of instructions was also included. Two weeks later, a follow-up letter was sent to non-respondents (Appendix F). This included a copy of the postcard survey. Two additional follow-ups were sent at ten-day intervals.

The data were collected, tabulated, and converted to percentages of the total respondents. In several cases, a respondent did not answer every question. All answers that were provided were included in the totals.

In survey research of this type, inferential statistics are usually utilized to determine the level of confidence in generalizing from the sample taken to the entire population. Since this study utilized the entire population rather than a sample, such statistical inferences were thought to be inappropriate.

In every research effort, there are limitations which affect the internal validity of the study. Such is the case in the present study. The data collected were the results of self reports of the head administrators of the schools surveyed. In this, the validity of the data is dependent on the respondents honesty in reporting both written policy and actual procedure and on the respondents proper understanding of the question. There was no attempt to verify the data by comparing answers on written policy with the actual written policy of the school.

In the Hamel study, respondents indicated they utilized a number of means other than suspension and expulsion in dealing with student discipline. This might include encouraging parents to withdraw the student from school or working out a transfer to another school within the same system. Also, many non-public schools have highly selective admission policies which screen out students who have the potential for behavior problems. If schools in the present study utilized such techniques without due process safeguards, it would tend to lower one's faith in the validity of the questionnaire responses. While there were no attempts to correct for such invalidity factors, it was assumed that they were not sufficiently severe to significantly decrease the validity of the data collected.

Results

The due process questionnaire was sent to 72 non-public high schools in the states of Kansas and Nebraska. A total of 68 completed questionnaires were received, which is a 94 percent response rate.

Part A of the questionnaire dealt with the written policies of the school relating to student disciplinary procedures in suspension and expulsion cases. A total of 48, or 70 percent, of the respondents indicated they had a written policy that provided due process to students, while 19, or 28 percent, of the respondents indicated that they did not. One respondent did not answer this question. A total of 51, or 75 percent, of the respondents indicated that the policy allowed the student to know all the evidence against him, while 12, or 18 percent, did not make this allowance. Five respondents did not answer this question. A total of 55, or 81 percent, allowed a student to present evidence in his own defense, while 7, or 10 percent, did not make this allowance. Six respondents did not answer this question. These data are summarized in Table 1.

Table 1

Part A: What policies do you have for student misbehavior that results in suspension or expulsion?		
<u>Question</u>	Percent of Respondents	
	<u>Yes</u>	<u>No</u>
1. Do you have a written policy that provides due process to students?	71	28
2. Does your policy allow a student to know all the evidence against him?	75	18
3. Does your policy allow a student to present evidence in his own behalf?	81	10

Two questions were also asked regarding who has the authority to suspend or expel a student from school. Several respondents marked more than one answer to these questions. In matters of suspension, no respondent indicated that a classroom teacher had such authority. Of those responding, 60, or 88 percent, indicated the principal had such authority; 6, or 9 percent, indicated a faculty committee; 14, or 21

percent, indicated the Board; and 22, or 32 percent, indicated the superintendent. Nine respondents listed other entities who had authority to suspend students. Those listed were: faculty/student group, administrative team, assistant principal, vice principal, dean of students, headmaster, associate principal.

In matters of expulsion, no respondent indicated that a classroom teacher had such authority. Of those responding, 37, or 54 percent, indicated the principal had such authority; 4, or 6 percent, indicated a faculty committee; 24, or 35 percent, indicated the Board; and 23, or 34 percent, indicated the superintendent. Four respondents listed other entities who had authority to expel students. Those listed were: review board, administrative team, headmaster, discipline board.

The data regarding the authority to suspend or expel students are summarized in Table 2.

Table 2

Who has authority to suspend or expel a student from school?		
	Percent of Respondents Suspend	Expel
Teacher	0	0
Principal	88	54
Faculty Committee	9	6
Board	21	35
Superintendent	32	34
Other	13	6

Part B of the questionnaire dealt with the procedures that are usually used in the school in dealing with suspension or expulsion of students. A total of 67, or 99 percent, of the respondents indicated that they did allow a student to know all the evidence

against him, while one did not answer this question. A total of 66, or 97 percent, indicated that a student was allowed to present evidence in his own defense, while 1 indicated that such an allowance was not made for students. One did not answer this question. These data are summarized in Table 3.

Table 3

Part B: What procedures are usually used in your school for student suspension and expulsion? (may be different than written policy)		
Question	Percent of Respondents	
	Yes	No
1. Is a student allowed to know all the evidence against him?	99	0
2. Is a student allowed to present evidence in his own defense?	97	1

Two questions were also asked regarding who usually makes the decision to suspend or expel a student from school. Several respondents marked more than one answer to these questions. In matters of suspension, no respondent indicated that a classroom teacher usually made the decision. Of those responding, 57, or 84 percent, indicated that the principal usually made this decision; 6, or 9 percent, indicated a faculty committee; 5, or 7 percent, indicated the Board; and 12, or 18 percent, indicated the superintendent. Eleven respondents indicated that other entities usually suspended students from school. Those listed were: associate principal, vice principal, dean of students, assistant principal, pastor, faculty/student group, head master, administrative team.

In matters of expulsion, no respondent indicated that a classroom teacher usually made the decision. Of those responding, 36, or 53 percent, indicated that the principal

usually made this decision; 4, or 6 percent, indicated a faculty committee; 17, or 25 percent, indicated the Board; and 20, or 29 percent, indicated the superintendent. Eight respondents indicated that other entities usually made the decision to expel a student from school. Those listed were: review board, discipline board, administrative committee, assistant principal, pastor, headmaster, administrative team.

The data regarding who usually makes the decision to suspend or expel students is summarized in Table 4.

Table 4

Who usually decides to suspend or expel a student?		
	Percent of Respondents Suspend	Expel
Teacher	0	0
Principal	84	53
Faculty Committee	9	6
Board	7	25
Superintendent	18	29
Other	16	12

Analyses and Conclusion

The case law is well settled that non-public schools are not required to provide the procedures of due process to their students who are suspended or expelled from school. However, the data presented here indicates that in a majority of non-public schools, the stated policy does provide due process to students. Further, in actual practice, most schools do provide such a process. It would appear then, that procedural fairness does prevail in non-public schools.

A comparison can be made between written policy and actual practice in the respondent schools. While 28 percent do not have a policy that provides due process to students, nearly all do, in fact, make such provision in their disciplinary practices. This is true for both the matter of notice and a fair hearing. Students in nearly all the schools are allowed to know the evidence against them and to present evidence in their own defense, even if the school's policy does not require such procedures.

It is interesting to note the comparison between suspension and expulsion policies and practices. While in 88 percent of the schools the principal has authority to suspend a student, only 54 percent indicate that the principal has authority to impose the more severe punishment of expulsion. The same relationship holds true for actual practice in the schools. While in 84 percent of the schools the principal usually suspends a student, only 53 percent indicated that the principal usually imposed the more severe punishment of expulsion. In both the case of policy and practice, it appears that decisions for the more severe punishment are more often made at a higher level of authority, such as the superintendent or the Board.

The data collected in this study support the conclusion that non-public schools do, in general, provide due process safeguards to their students involved in disciplinary situations leading to suspension or expulsion. The findings of this study are consistent with the Hamel study in 1979. While not given the same constitutional protections that their public school counterparts enjoy, students at non-public schools seem to be provided with sufficient administrative protections. Thus, non-public schools are not institutions of totalitarianism, as some have charged, but do provide procedures which are fundamentally fair and protect the legitimate interest of their students. In this, the non-public schools do provide for their students a positive example of the American democratic way of life in action.

REFERENCES

1. Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729. (1975).
2. Dixon v. Alabama State Board of Education, 294 F.2d 150. (1961).
3. Bright v. Isenbarger, 314 F.Supp. 1382. (1970).
4. Bright v. Isenbarger, 445 F.2d 412. (1971).
5. Flint v. St. Augustine High School, 323 So. 2d 229. (1975).
6. The appellate court quoted the trial court "this case involving the rights of students in a non-public school, is apparently a case of first instance in Louisiana (and perhaps in the United States)." id at 223, 224.
7. Wisch v. Sanford School, Inc., 420 F.Supp. 1310. (1976).
8. Id at 1315.
9. Shultz, Myron Wesley. "Legal Trends in Student Discipline and Tort Liabilities in Non-Public Schools as Revealed by Court Decisions." Unpublished doctoral dissertation, Lehigh University, 1975.
10. Id at 147.
11. Id at 165.
12. Hamel, Glen. "Procedural Due Process and the Non-Public School: An Analysis of Current Practice in Cook County, Illinois." Unpublished research report, Andrews University: 1979.
13. Id at 6.

APPENDICES

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APPENDIX A
PRIVATE SCHOOL DISCIPLINE SURVEY

A. What policies do you have for student misbehavior that results in suspension or expulsion?

1. Do you have a written policy that provides due process to students? ☐ yes ☐ no
2. Does your policy allow a student to know all the evidence against him? ☐ yes ☐ no
3. Does your policy allow a student to present evidence in his own defense? ☐ yes ☐ no
4. Who has authority to suspend a student from school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____
5. Who has authority to expel a student from school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____

B. What procedures are usually used in your school for student suspension and expulsion? (may be different than written policy)

1. Is a student allowed to know all the evidence against him?
☐ yes ☐ no
2. Is a student allowed to present evidence in his own defense?
☐ yes ☐ no
3. Who usually makes the decision to suspend a student from your school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____
4. Who usually makes the decision to expel a student?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____

APPENDIX B

KANSAS-NEBRASKA CONFERENCE

of Seventh-day Adventists

3440 Urish Road Topeka, Kansas 66614-4601
913-478-4726

May 4, 1989

Principals
(Pre-Letter)

Dear _____:

I am conducting a survey of how private high schools handle student discipline that results in suspension or expulsion from school. I will use this information for developing discipline policies in the Adventist schools in Kansas and Nebraska.

You will receive the survey form in a few days. It will ask questions about your school's policies and the actual procedure you follow in handling discipline cases. It will take only a minute to fill out the form. All answers will be kept confidential.

If you would like to know how other private high schools handle discipline, I will be happy to send you the results of my survey. Just fill out the enclosed card and return it to me.

Thank you in advance for your help.

Sincerely,

Lyndon G. Furst, Ed.D.
Superintendent of Schools

cj

Enclosure

APPENDIX C

KANSAS-NEBRASKA CONFERENCE of Seventh-day Adventists

3440 Irish Road Topeka, Kansas 66614-4601
913-478-4726

May 8, 1989

Principals
(Letter)

Dear _____:

Enclosed is the survey on student discipline I wrote to you about last week. You will notice that it deals mainly with the concept of due process. While private schools are not required to give due process, some do.

Some private schools give students the benefit of procedures that are not part of the school's written policy. That's why I have divided the survey into two parts. One part deals with what the written policy is, and the other is about your actual practice.

I do not have a lot of money to spend on follow-up notices, so I would appreciate your returning the survey as soon as possible. I will use the information in developing policies for our Adventist schools.

Thanks for your help.

Sincerely,

Lyndon G. Furst, Ed.D.
Superintendent of Schools

cj

Enclosure

APPENDIX D

PRIVATE SCHOOL DISCIPLINE SURVEY

A. What policies do you have for student misbehavior that results in a suspension or expulsion?

1. Do you have a written policy that provides due process to students? ☐ yes ☐ no
2. Does your policy allow a student to know all the evidence against him? ☐ yes ☐ no
3. Does your policy allow a student to present evidence in his own defense? ☐ yes ☐ no
4. Who has authority to suspend a student from school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____
5. Who has authority to expel a student from school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____

B. What procedures are usually used in your school for student suspension and expulsion? (may be different than written policy)

1. Is a student allowed to know all the evidence against him? ☐ yes ☐ no
2. Is a student allowed to present evidence in his own defense? ☐ yes ☐ no
3. Who usually makes the decision to suspend a student from your school?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____
4. Who usually makes the decision to expel a student?
☐ Teacher ☐ Principal ☐ Faculty committee
☐ Board ☐ Superintendent ☐ Other _____

APPENDIX E

PRIVATE SCHOOL DISCIPLINE SURVEY

1. MARK YOUR ANSWERS ON THE ENCLOSED CARD AND RETURN TO ME AS SOON AS POSSIBLE.
2. PLEASE BE SURE TO ANSWER EVERY QUESTION.
3. ALL ANSWERS WILL BE KEPT CONFIDENTIAL.
4. EACH CARD HAS AN ID NUMBER FOR FOLLOW-UP PURPOSES ONLY.
5. FOR THIS SURVEY TO BE VALID I MUST HAVE A RESPONSE FROM EVERY SCHOOL.
6. MANY THANKS FOR YOUR HELP.

APPENDIX F

KANSAS-NEBRASKA CONFERENCE of Seventh-day Adventists

3440 Urish Road Topeka, Kansas 66614-4601
913-478-4726

May 24, 1989

Principals
(Follow-up)

Dear _____:

Several days ago, I sent you a survey regarding discipline procedures in your school. To date, I have received a response from 68 percent of the schools which were sent the survey. I am really pleased with the response so far.

Since I have not received a response from you, I am enclosing another survey. I would appreciate it if you could fill it out and return it to me as soon as possible.

Thank you for your help.

Sincerely,

Lyndon G. Furst, Ed.D.
Superintendent of Schools

cj

Enclosure

14

ONLY 14 MORE

I NEED ONLY 14 MORE

I need only 14 more responses to the Private School Discipline Survey.

You are one of the 14 I need. Please send it to me as soon as possible.

Thank you for your help.

7

ONLY 7 MORE

I NEED ONLY 7 MORE

I need only 7 more responses to the Private School Discipline Survey.

You are one of the 7 I need. Please send it to me as soon as possible.

Thank you for your help.

A. What policies do you have for student misbehavior that results in suspension or expulsion?

1. Do you have a written policy that provides due process to students?

Yes: 48 No: 19

2. Does your policy allow a student to know all the evidence against him?

Yes: 51 No: 12

3. Does your policy allow a student to present evidence in his own defense?

Yes: 55 No: 7

4. Who has authority to suspend a student from school?

Teacher: 0 Principal: 60 Faculty committee: 6 Board: 14
Superintendent: 22 Other: 9 (faculty-student group, administrative team, assistant principal, vice principal, dean of students, headmaster, associate principal)

5. Who has authority to expel a student from school?

Teacher: 0 Principal: 37 Faculty committee: 4 Board: 24
Superintendent: 23 Other: 4 (review board, administrative team, headmaster, discipline board)

B. What procedures are usually used in your school for student suspension and expulsion? (may be different than written policy)

1. Is a student allowed to know all the evidence against him?

Yes: 67 No: 0

2. Is a student allowed to present evidence in his own defense?

Yes: 66 No: 1

3. Who usually makes the decision to suspend a student from your school?

Teacher: 0 Principal: 57 Faculty committee: 6 Board: 5
Superintendent: 12 Other: 11 (associate principal, vice principal, dean of students, assistant principal, pastor, faculty-student group, headmaster, administrative team)

4. Who usually makes the decision to expel a student?

Teacher: 0 Principal: 36 Faculty committee: 4 Board: 17
Superintendent: 20 Other: 8 (review board, discipline board, administrative committee, assistant principal, pastor, headmaster, administrative team)